

**Remarks**

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. Claims 1, 2 and 15 are amended. Claims 1-9, 11-23, 25-29 are pending. Support for the amendments can be found in the published application including paragraphs 55, 56, 57, 59 and 60.

**Claim Rejections - 35 U.S.C. § 103**

Claims 1-5, 8-9, 11-19, and 22-23, 25-29 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Choi et al. US 7,096,020 ("Choi") in view Soderbacka et al. US 20030114158 ("Soderbacka").

For explanatory purposes, applicant discusses herein one or more differences between the claimed invention and the Office Action's citations to Choi and Soderbacka. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the Office Action's citations to Choi or Soderbacka correspond to the claimed invention.

The Applicant believes that the amended claims are not anticipated or obvious over the cited art. In particular, the applicant has amended the claims to make clear that the service change is completed before the transfer from the first subsystem is made to the second subsystem. The Applicant would distinguish the amended claims from Choi in that Choi discloses a WCDMA to CDMA handover accomplished via a three party call. Choi has two calls active on two controllers. One leg of the call is on a first subsystem supporting WCDM while the second leg of the call is on a CDMA subsystem. The transfer to the second subsystem occurs after the signaling and timing threshold on the first subsystem are met. Note that Choi does not change service before transfer of the call occurs. In contrast, the claimed invention

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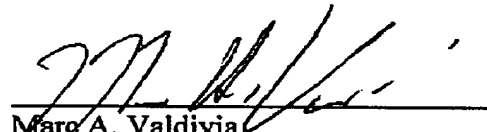
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comprises limitations such that the change of service occurs before the call is transferred from the first subsystem to the second subsystem, and thus the change of service occurs while the call is still only on the first subsystem.

Withdrawal of the §§ 103 rejections is therefore respectfully requested.

In view of the above remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,

  
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Dated: September 30, 2010

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